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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 317/2020**

RAHUL GOEL

.....Plaintiff

Through Mr. Rajat Aneja with Ms. Sonali
Chopra, Advs.

versus

DEALSKART ONLINE SERVICES PVT. LTD.

....Defendant

Through Mr. Rajshekhar Rao with Ms.
Anushka Sharda and Ms. Raveena
Rai, Advs.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

ORDER

% **13.08.2020**

[Court hearing convened *via* video-conferencing on account of COVID-19]

I.A. Nos.6854-55/2020

1. Allowed, subject to the plaintiff curing the deficiencies referred to in the captioned applications within five days of the lockdown *qua* this Court being lifted.

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2. Issue summons in the suit and notice in the captioned applications.

2.1 Ms. Anushka Sharda accepts notice on behalf of the defendant.

3. Mr. Rajshekhar Rao, on instructions of Ms. Sharda, says that his client i.e. the defendant is willing to settle the matter on the following terms:

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(i) The defendant will vacate the demised premises on or before 23.08.2020.

(ii) The defendant will forego the entire security deposit i.e. Rs. 32.60 lakhs in favour of the plaintiff.

(iii) Upon the plaintiff accepting the offer made, as recorded in paragraph 3 (i) and (ii) above, the plaintiff will make no further claims whatsoever in respect of the subject lease deed dated 10.01.2020.

4. Mr. Rajat Aneja, who appears on behalf of the plaintiff, has heard the offer made by Mr. Rao on behalf of the defendant.

4.1 To be noted, Mr. Aneja was given time to confabulate with Ms. Sonali Chopra, advocate-on-record for the plaintiff.

4.2 Mr. Aneja has obtained instructions from Ms. Chopra who, in turn, has obtained instructions from the plaintiff.

4.3 Mr. Aneja submits that the aforesaid terms offered on behalf of the defendant are acceptable to the plaintiff. Mr. Aneja also says that the suit can be decreed in the aforementioned terms.

4.4 It is ordered accordingly.

5. However, by way of abundant caution, both the plaintiff and the defendant will place on record their respective affidavits in terms of what have been stated hereinabove before me by their respective counsel.

5.1 The affidavits will be filed by the parties within three days from today. The affidavits will form part of the decree.

6. Needless to add, the defendant will give prior notice to the plaintiff as to the date and time when its authorized representative will surrender vacant and peaceful possession of the demised premises and also handover the keys of the said premises.
7. The Registry will draw-up a decree in the aforementioned terms. The suit is disposed of in terms of what is recorded hereinabove. The pending applications shall, resultantly, stand closed.
8. Since the parties have settled the matter at the very first hearing, the plaintiff should be entitled to refund of the entire court fee. It is ordered accordingly. The Registry will take requisite steps in that behalf.
9. The suit shall be consigned to record.

RAJIV SHAKDHER, J

AUGUST 13, 2020

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Click here to check corrigendum, if any

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